IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 13TH JUNE 2007 / 23RD JYAISHTA 1929

RPFC.No. 187 of 2007()

CMP NO.90/2007 IN MC.152/2004 of THE FAMILY COURT, KOZHIKODE.

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REVISION PETITIONER/RESPONDENT

V.K.SASI, S/O.SREEDHARAN,
KEETTITHARA HOUSE, ARIYALLOOR AMSOM,
THIRURANGADI, MALAPPURAM DISTRICT.

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS: PETITIONERS

1.K.B.ANUPAMA, D/O.BALAKRISHNAN,
KUNNATH HOUSE, PANNIYANKARA, KOZHIKODE.

2.ABHINAV (MINOR),
REP.BY GUARDIAN 1ST RESPONDENT.

THIS REV.PETITION(FAMILY COURT) HAVING COME UP FOR ADMISSION ON 13/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

R.P (F.C) NO. 187 of 2007

Dated this the 13th day of June, 2007

ORDER

The revision petitioner is the respondent in M.C.No.152/2004 filed under section 125 Cr.P.C. The order under challenge is the in C.M.P No. 90/2007, the application filed for amendment of the original application incorporating an enhanced amount of maintenance as well as an increased amount of income of the respondent/revision petitioner. It is the contention of the revision petitioner that maintainability of the CMP itself was disputed.

2. I find that the court below has not considered the objection raised by the revision petitioner/respondent and the matter has been disposed of with a one sentence order totally ignoring the contention of the revision petitioner/respondent.

In the circumstances, the order of the court below is set aside. The court below is directed to reconsider the matter and dispose of the CMP by a considered order. The matter stands

posted before the court below on 12-7-2007.

The R.P (FC) is disposed of accordingly.

K.R.UDAYABHANU,JUDGE.

Kvm/